



Agenda Item Number: 2006-3-6K

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: March 14, 2006

Department: Infrastructure Planning **Staff Contact:** Tim West, Deputy County Manager for Public Works
and Geo Resources Steve Miller, Department Director
Raymond Orona, Rights of Way Manager

TITLE: Acquisition of Property for the Isleta Phase II Reconstruction Project

ACTION: Motion to approve the acquisition of property by condemnation or settlement action for rights-of-way from Weingarten/Lufkin, Inc., a Texas Corporation.

SUMMARY:

This property is needed as permanent rights-of-way and as temporary rights-of-way for construction of the Isleta Phase II Reconstruction Project. The condemnation action consists of payment for partial land taking of 359 square feet and a temporary construction permit of 807.95 square feet with no damages to the remainder vacant lot.

The property being taken was appraised and an offer to purchase was made accordingly. The owner rejected the offer. Continued negotiations have failed to produce settlement and it is therefore necessary to condemn this property to secure possession for construction purposes. The Right of Way Section and the Real Estate Committee have considered the necessity for condemnation action and recommend that the County proceed. The details for the appraised values of this right-of-way taking are as follows:

Summary of fair market value and offer for Land:

Parcel 2-16, 359.00 SF @ \$5.75/SF = \$2,064.25

\$2,100.00

Parcel 2-TCP-16, 807.95 SF @ \$5.75 x 10% = \$464.57

500.00

**TOTAL DUE FOR DEPOSIT TO THE
CLERK OF THE DISTRICT COURT**

\$2,600.00

ATTACHMENTS:

1. Parcel Descriptions
2. Zone Atlas page
3. Valuation Analysis
4. Real Estate Committee Condemnation Approval

FISCAL IMPACT

Reconstruction Project Phase II

BC12-538052-7900

\$2,600.00

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

This purchase is needed for the Isleta Blvd. Phase II Reconstruction Project. I recommend Board approval. TL 03/07/2006

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

Approximately 1,166 sq. ft. is needed from this property to construct right turn lane for the South to West bound improvements at the intersection of Isleta and Rio Bravo. The turn lane is needed to improve traffic flow and traffic safety. I recommend approval. TW 2/28/06

LEGAL

Appropriate approval by Real Estate Committee. Approved as to form only. Deborah S. Seligman, Legal 2/28/06

FINANCE

Budget	Approval will allow the County to acquire the property. The funding is available from Road Bond funds in the line item noted above. Amy Childers, Financial Specialist 2/21/06
Purchasing	No comment required as the acquisition of Real Property is not covered by the provisions of the State Procurement Code per Section 13-1-30 NMSA 1978. R. Suazo, Purchasing Administrator 2/24/06
Contracts	No comment required as no contract is being routed. Rosanna Suazo, Purchasing Administrator 2/24/06
Risk Management	No comment required. David Baca, Risk Management 2/21/06